

IN THE U.S. DISTRICT COURT OF THE
NORTHER DISTRICT OF, ILLINOIS

08c1781

CH

Case No. : 08C1781
Hearing Date : 08/13/2008

THIRD PARTY RESPONDENT ANSWER TO CITATION PROCEEDINGS

JPMorgan Chase Bank, N.A. ("JPMC"), certifies under penalty of perjury that with regard to the property of the judgment (Citation Respondent) debtor, the Citation Respondent files the following answers to this Citation to Discover Assets and is in possession of the following property of the judgment debtor.

Check one or more of the following and indicate the amount held:

- A) Savings Account
B) Checking and/or Now Account

Account Number
758152375

Hold Amount
\$8,507.88

C) Certificate of Deposit

D) Money Market Account (Amount held) \$

E) Trust Account (Amount held) \$

F) Safety Deposit Box \$

G) No Accounts

H) Adverse Claimant :

Name :

Address :

I) Wages, Salary or Commissions

J) Other Personal Property (Describe)

Attach a sheet for any additional information required by the Citation

Sub-Total : \$ 8,654.43

Less right of offset for other loans : \$
Less deduction for fees limited by 205 ILCS 5/48.1 : \$

Total : \$

According to the business records kept by the Citation Respondent, we show the above information to be correct.

Agent for Citation Respondent

Date

Respondent/Agent

Business Name : JPMorgan Chase Bank, N.A.

Address : 451 Florida Street P.O. Box 260164 Baton Rouge, LA 70826

Phone : (225) 332-7250

Fax : (225) 332-7274

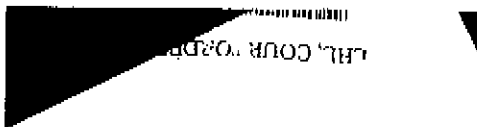
FILED

AUG 18 2008

NR

MICHAEL W. DENNIS
CLERK, U.S. DISTRICT COURT

Page 1 of 1



10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRUSTEES of the CHICAGO REGIONAL
COUNCIL OF CARPENTERS PENSION FUND
WELFARE FUND and APPRENTICE &
TRAINEE PROGRAM FUND

Judgment Creditor,

Case No. 08 C 1781

Judge Dow

v.

DISTINCTIVE SPACES, INC.

Judgment Debtor,

JP MORGAN CHASE BANK

Citation Respondent.

CITATION TO DISCOVER ASSETS TO THIRD PARTY

To: JP Morgan Chase Bank
National Legal Processing
P.O. Box 260164
Baton Rouge, LA 70826

YOU ARE COMMANDED to appear at the law office of Whitfield McGann & Ketterman, 111 E. Wacker Drive, Suite 2600, Chicago, Illinois, 60601 on **Wednesday, August 13, 2008 at 2:00 p.m.** to give testimony under oath concerning the property of the judgement debtor, Distinctive Spaces, Inc.

Judgment was entered on May 29, 2008 for the plaintiffs / judgment creditor and against Distinctive Spaces, Inc. in the sum of \$36,456.82. A copy of the judgment is attached to this Citation. There is now due less credits and set off the sum of \$36,456.82. Your answer / testimony will inform the Court as to the property you may hold belonging to Distinctive Spaces, Inc.

YOU ARE COMMANDED to produce at the examination the following documentation and information.

- ☐ Current statement that reflects the amount of funds / money held in any accounts belonging to the judgment debtor(s);
- ☐ Current statement listing all amounts owed to the judgment debtor(s);
- ☐ Current statement listing all amounts paid to the judgment debtor(s);
- ☐ Documents evidencing UCC filings or secured interest in judgment debtor(s) real or personal property;

OPERATOR ID
#19

- ☐ Signature cards to each account belonging to judgment debtor(s);
- ☐ Final documents reflecting the closure of accounts belonging to judgment debtor(s)
- ☐ Documents or evidence indicating the basis for any set off for money due the judgment debtor(s);
- ☐ Documents evidencing any loans of money to the judgment debtor(s) including outstanding amounts owed under the loan;
- ☐ Any and all books, papers or records in your possession or control which may contain information concerning the property or income of, or indebtedness due the judgment debtor(s).

YOU ARE REQUIRED to do the following upon receiving this Citation until further Order of Court in accordance with Supreme Court Rule 277 (f), or until this Citation is dismissed by the Court or by Stipulation:

YOU ARE PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the judgment debtor or to which he/she may be entitled or which may be acquired by or become due to him/her, until further order of court or termination of the proceeding. You are not required to withhold the payment of any money beyond double the amount of the judgment.

WARNING: YOUR FAILURE TO COMPLY WITH THE CITATION PROCEEDING MAY RESULT IN A JUDGMENT BEING ENTERED AGAINST YOU FOR THE UNSATISFIED AMOUNT OF THIS JUDGMENT 735 ILCS 5/2-1402(D)(1)

WARNING: YOUR FAILURE TO APPEAR AT THE CITATION HEARING AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT

I, Daniel P. McAnally, declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Declaration is true and correct.


Signature of Attorney
Daniel P. McAnally

Attorney for Judgment Creditor
Daniel P. McAnally
Whitfield McGann & Ketterman
111 E. Wacker Drive
Suite 2600
Chicago, IL 60601
312/251-9700

MICHAEL W DOBBINS

CLERK OF THE COURT


DEPUTY CLERK

DATE: JUL 29 2008

HHK

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRUSTEES of the CHICAGO REGIONAL COUNCIL)
OF CARPENTERS PENSION FUND, CHICAGO)
REGIONAL COUNCIL OF CARPENTERS WELFARE)
FUND, CHICAGO REGIONAL COUNCIL OF)
CARPENTERS APPRENTICE & TRAINEE FUND)

Plaintiffs,

Case No. 08 C 1781

v.

Judge Dow

DISTINCTIVE SPACES INC.

Defendant.

JUDGMENT ORDER

WHEREAS, the Plaintiffs filed their Complaint on March 27, 2008 and the Defendant was personally served with copies of Summons and Complaint; and

WHEREAS, the Defendant has failed to answer or otherwise plead; and

NOW THEREFORE, upon application of the Plaintiffs and for good cause shown, a default is hereby entered against the Defendant in accordance with the prayer of the Complaint in the above styled action; and

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that judgment is entered in behalf of the Plaintiffs and against the Defendant, DISTINCTIVE SPACES INC., in the sum of \$36,456.82 representing the following amounts:

a)	ERISA Contributions (11/07 - 01/08)	\$27,744.75
b)	Interest on ERISA Contributions	\$641.60
c)	Liquidated Damages (05/07 - 01/08)	\$4,151.29
d)	Union Dues (11/07 - 01/08)	\$1,956.68
e)	Attorney Fees and Costs	\$1,962.50
	TOTAL	\$36,456.82

ENTERED:



ROBERT M. DOW JR.
UNITED STATES DISTRICT JUDGE

DATED: May 29, 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRUSTEES of the CHICAGO REGIONAL)
COUNCIL OF CARPENTERS PENSION FUND)
WELFARE FUND and APPRENTICE & TRAINEE)
PROGRAM FUND)

Judgment Creditor,)

Case No. 08 C 1781

Judge Dow

v.)

DISTINCTIVE SPACES, INC.)

Judgment Debtor.)

CITATION NOTICE

Name and Address of Court:

United States District Court for the Northern District of Illinois
Everett McKinley Dirksen Building
219 S. Dearborn Street
Chicago, Illinois 60604

Address of Judgment Debtor:

Distinctive Spaces, Inc.
Bruce Paterson
Owner
1608 Sierra Highlands dr
Plainfield, IL 60544

Name and address of Attorney for Judgment Creditor:

Daniel P. McAnally
Whitfield McGann & Ketterman
111 E. Wacker Drive, Suite 2600
Chicago, Illinois 60601
312-251-9700

Amount of Judgment: \$36,456.82

Balance: \$36,456.82

Name of Person Receiving Citation: JP Morgan Chase Bank

Hearing Date and Time: Wednesday, August 13, 2008 at 2:00 p.m.

NOTICE: The court has issued a citation against the person named above. The citation directs that person to appear at 111 E. Wacker Drive, Suite 2600, Chicago, Illinois, 60601 to be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest. The citation was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above. On or after the hearing date stated above, the court may compel the application of any discovered income or assets toward payment on the judgment. The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law.

THE JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE:

- (1) (a) Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed \$2,000 in value, in any personal property as chosen by the debtor
 - (b) Social Security and SSI benefits;
 - (c) Public assistance benefits;
 - (d) Unemployment compensation benefits;
 - (e) Worker's compensation benefits;
 - (f) Veteran's benefits;
 - (g) Circuit breaker property tax relief benefits;
 - (h) The debtor's equity interest, not to exceed \$1,200 in value, in any one motor vehicle;
 - (i) The debtor's equity interest, not to exceed \$750 in value, in any implements, professional books, or tools of the trade of the debtor.
- (2) Under Illinois law every person is entitled to an estate in homestead, when it is owned and occupied as a residence, to the extent in value of \$7,500, which homestead is exempt from judgment.
- (3) Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage.
- (4) Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25% of disposable earnings for a week or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.
- (5) Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

The judgment debtor may have other possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The judgment debtor also has the right to seek a declaration at an earlier date, by notifying the clerk in writing at Michael W Dobbins, Clerk of the U. S. Dist. Court, Everett Dirksen McKinley Building, 219 S. Dearborn Street, Chicago, Illinois 60604. When so notified, the Clerk of the Court will obtain a prompt hearing date from the court and will provide the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the judgment creditor's attorney regarding the time and location of the hearing. This notice may be sent by regular first class mail.

I, Daniel P McAnally, attorney hereby certify that this Citation Notice was sent via U.S. first class mail to the judgment debtor on _____.

s/Daniel P. McAnally

WHITFIELD, McGANN & KETTERMAN

Attorneys at Law

Collins P. Whitfield
Terrance B. McGann
Travis J. Ketterman

Amy E. Paluch Epton
Gregory N. Freerksen
Karl E. Masters
Daniel P. McAnally
Guy Z. Prihar, Ph.D.
Karen M. Riggs
Raymond J. Sanguinetti
Leonard D. Saphire-Bernstein

Also Licensed in Wisconsin
Also Licensed in Pennsylvania
New Jersey

Of Counsel
Goldberg, Weisman & Cairn
Dianne M. Onuchimowski
Kenneth J. Cortesi
Mark A. Spadaro

SUITE 2600
111 EAST WACKER DRIVE
CHICAGO, ILLINOIS 60601
TELEPHONE (312) 251-9700
FACSIMILE (312) 251-9701



July 29, 2008

Via Certified Mail 7000 0520 0020 1136 1758

JP Morgan Chase Bank
National Legal Processing
P.O. Box 260164
Baton Rouge, LA 70826

Re: Trustees of the Chicago Regional Council of Carpenters
Pension Fund, et. al. v. Distinctive Spaces, Inc., 08 C 1781
24071 / n7638

Dear Sir or Madam:

Enclosed please find a Citation to Discover Assets to Third Party that directs you to appear in our offices on **Wednesday, August 13, 2008 at 2:00 p.m.** to give deposition testimony in this case.

If you contact me prior to the date of citation hearing, we may be able to work out an agreement for compliance which would negate your need to appear

As you can see from the Citation, you are prohibited from making or allowing any transfer or other disposition of any property not exempt from execution belonging to the judgment debtor, Distinctive Spaces, Inc. until further order of Court or agreement from us as attorneys for the judgment creditor

If you have any questions, please call.

Sincerely,

Daniel P. McAnally

c: E. Oliver